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Incredible Auto Sales LLC

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

IN RE:

INCREDIBLE AUTO SALES L.L.C.

Debtor

Case No. 06-60855-RBK

Judge Ralph B Kirscher

Preliminary Telephonic Hearing set by
the Court for:
February 14, 2007 at 1:30 P.M.

**DEBTOR'S LIMITED RESPONSE, RESISTANCE AND OBJECTION TO
MOTION FOR RELIEF FROM THE STAY FILED BY UNITED CAR CARE**

NOW COMES the Debtor-in-Possession, Incredible Auto Sales L.L.C. and in a
Limited Responses, Resistance and Objection to the Motion for Relief from the
Automatic Stay as filed by United Car Care states as follows:

- 1.) This Chapter 11 filed on 10/17/06 has stayed all pre petition litigations.
- 2.) This Debtor is involved in a case in Montana State Court as a Joint
Plaintiff and as a Counter Defendant, which was filed pre petition;
- 3.) This case is entitled and captioned as follows:

Incredible Auto Sales L.L.C. and Incredible Chevrolet, Plaintiffs Vs
United Car Care Inc., Defendant Vs Nick Gutierrez Third Party
Defendant, Case No. DV-05-0575 pending before State Court
Judge G. Todd Baugh in the Montana Thirteenth Judicial District
Court, Yellowstone County Montana.

- 4.) This Plaintiff/Debtor believes that it has a valid collectable claim against the Defendant herein which will be awarded.
- 5.) This Plaintiff desires this litigation to go ahead on the following basis:
 - A.) That the Debtor be granted time to obtain Counsel to represent it in this State Court proceeding; and/or
 - B.) To Employ those Attorneys who already represent the Plaintiffs herein as soon as fee arrangements can be made; and that
 - C.) If possible judgment on a cross claim be granted against this Debtor or otherwise, that obviously it be stayed so that any possible United Car Care claim can be treated under the Debtor's liquidating Plan.
- 6.) This Plaintiff's claim against United Car Care is part of the pledge and security interest in assets securing the Hyundai Motor Finance claim in this case.
- 7.) It is in the best interests of the Debtor, this Estate and all Creditors herein that this State Court Case go ahead.

WHEREFORE the Debtor, Incredible Auto Sales L.L.C. request this Court grant:

- A.) Relief from Stay on a limited basis to allow this State Court Lawsuit to proceed ahead.
- B.) That time be given for this Plaintiff/Debtor to obtain Counsel; and

C.) That this Court Order provide that any possible judgment against this Debtor be stayed on a cross claim and not covered by this Motion and limited Order for Stay Relief.

February 5, 2007

/s/ William L. Needler
Attorney for the Debtor
Incredible Auto Sales L.L.C

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NOTICE OF RESPONSE

PLEASE TAKE NOTICE, that on Monday February 5, 2007 that the attached Response, Resistance and Objection to the Motion of United Car Care's Motion for Relief from the Automatic Stay was filed and will be heard for a Preliminary Telephonic Hearing at 1:30 P.M. on February 14, 2007 before Judge Ralph B. Kirscher at the United States Bankruptcy Court for the District of Montana, 400 North Main Street, 2nd

Floor, Butte, Montana. (A copy of the Response, Resistance and Objection and Notice are attached.)

/s/ William L. Needler
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PROOF OF SERVICE

William L. Needler, an attorney, certifies that he filed this Objection on February 5, 2007 with the Clerk of the above Court via CM/ECF electronic filing and the persons listed by the Court were served electronically.

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This Attorney also certifies that he also caused to be served, a copy of the above Objection and Notice as attached hereto, to the persons listed below served by Facsimile Service from the Attorneys offices on or before February 6, 2007.

/s/ William L. Needler
William L. Needler

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